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A

REQUEST FOR FILING CONTINUATION PATENT APPLICATION  
(Under 37 CFR § 1.53(b))  
WHITMAN BREED ABBOTT & MORGAN LLP

File No. 0064738-0040

PRIOR APPLICATION: 08/910,495	
EXAMINER: DiMauro, P.	ART UNIT 1754
ANTICIPATED CLASSIFICATION OF THIS APPLICATION:	
CLASS	SUBCLASS

EXPRESS MAIL	
Mailing label number: EL 128511355 US	
Date of Deposit: June 29, 2000	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX APPLICATION, Washington, D.C. 20231.	
Victor Alvarez (Typed or printed name of person mailing paper or fee)	
Victor Alvarez (Signature of person mailing paper or fee)	

1c714 U.S. PTO  
09/607126  
06/29/00

ASST. COMMISSIONER FOR PATENTS  
BOX APPLICATION  
WASHINGTON, D.C. 20231

Sir:

This is a Request for filing a X continuation,    divisional application under 37 CFR §1.53(b) of pending prior application Serial No. 08/910,495, filed on August 4, 1997, by Moy, et al. and currently entitled *Process for Producing Single Wall Nanotubes Using Unsupported Metal Catalysts and Single Wall Nanotubes Produced According to this Method*.

1. X Enclosed is a copy of the latest inventor signed prior application, including the oath or declaration as originally filed. I hereby verify to the best of my information and belief that the attached papers are a true copy of the latest inventor signed prior application Serial No. 08/910,495 originally filed on August 4, 1997.
2. X The filing fee is calculated on the basis of the claims existing in the prior application, less any claims cancelled by amendment at paragraph 5 below, as follows:

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS	23	3	x \$18.00	\$54.00
INDEPENDENT CLAIMS	2	0	x \$78.00	0
MULTIPLE DEPENDENT CLAIMS(S) (IF APPLICABLE)			+ \$	0
			BASIC FEE	+ \$690.00
			Total of above Calculations	\$744.00
Reduction by 1/2 for filing by small entity (Note: 37 CFR § 1.9, § 2.37, § 1.28). If applicable, verified statement must be attached or already be on file in prior application.				\$744.00 x 1/2
			TOTAL FILING FEE	\$372.00

3. X The Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 (for filing) and § 1.17 (for prosecution) which may be required with respect to the papers filed herewith, (X and also any additional such fees which may be required during the entire pendency of this application, \_ and also the issue fee under 37 CFR 1.18), or credit any overpayment, to Deposit Account No. 50-0297. A duplicate copy of this sheet is enclosed.
4. a. X A check in the amount of \$372.00 is enclosed.
- b. — The filing fee to be paid later with surcharge [pursuant to 37 CFR § 1.53(d)].
5. — Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. X Amend the specification by inserting before the first line the sentence:
- This application is a X continuation \_ division of application Serial No. 08/910,495 filed August 4, 1997, which is incorporated herein by reference. --
- [Note: If priority under 35 U.S.C. 120 involves a series of respectively copending applications, then in this amendment identify each and its relationship to its immediate predecessor.]
7. a. — A verified statement claiming small entity status is enclosed. [Note: Such a statement may be filed within two months with a request for refund of overpayment, under 37 CFR § 1.28(a)].
- b. X A verified statement claiming small entity status was filed in the prior application, Serial No. 08/910,495, filed August 4, 1997. Status as a small entity is still proper and is desired and claimed herein.
8. a. — Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by 37 CFR § 1.138 and before payment of issue fee.)
- b. X New formal drawings are enclosed.
9. a. — Priority of foreign Application No(s). \_ filed on \_ in \_, respectively, is claimed under 35 U.S.C. 119.
- b. — A certified copy of said foreign priority application(s) was filed in prior U.S. application Serial No. \_ filed \_. Acknowledgement thereof is requested.
10. X The prior application is assigned of record to Hyperion Catalysis International, Inc.

11. X A supplemental preliminary submission is intended. The Examiner is requested to contact the undersigned if such a submission is not in the file prior to the first Official Action.
12. X The power of attorney in the prior application is to: Barry Evans, Esq. Reg. No. 22,802.
  - a. x The power appears in the original papers in the prior application.
  - b. — Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
13. — Original title and original applicant(s) of prior U.S. application, if different from above:
14. X Also enclosed: (a) Information Disclosure Statement; (b) Preliminary Amendment.
15. X Address all future communications to (may only be completed by applicant, or attorney, or agent of record):

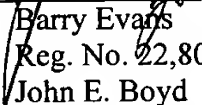
**Attention of: Barry Evans, Esq.  
WHITMAN BREED ABBOTT & MORGAN LLP  
200 Park Avenue  
New York, New York 10166**

16. X Any extension of time necessary to maintain the copendency of the prior application and to allow the timely filing of this application is hereby requested. Please charge the fee for the extension of time, if not otherwise paid, to Deposit Account No. 50-0297. A duplicate copy of this sheet is enclosed for filing in the prior application file.

Date: **June 29, 2000**

WHITMAN BREED ABBOTT & MORGAN LLP

By: \_\_\_\_\_

  
Barry Evans  
Reg. No. 22,802  
John E. Boyd  
Reg. No. 38,055  
Attorney of record  
(or filed under 37 CFR § 1.34)  
Telephone: (212) 351-3000

**APPLICATION FOR LETTERS PATENT**

Inventor(s)	:	David MOY and Asif CHISHTI
Title	:	PROCESS FOR PRODUCING SINGLE WALL NANOTUBES USING UNSUPPORTED METAL CATALYSTS AND SINGLE WALL NANOTUBES PRODUCED ACCORDING TO THIS METHOD
Specification	:	24 pages
Claims	:	23
Figures	:	2

Mailing Label Number EM342511842US  
Date of Deposit August 4, 1997  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

HARRY BATES, Jr

(Typed or printed name of person  
mailing paper or fee)

(Signature of person mailing paper or fee)

Barry Evans  
Registration No. 22,802  
David Rubin  
Registration No. 40,314  
CURTIS, MORRIS & SAFFORD, P.C.  
530 Fifth Avenue  
New York, New York 10036  
(212) 840-3333